

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Municipal Administration & Urban Development Department – Hyderabad Metropolitan Development Authority – Change of land use from Water Body and Green Belt use zone to Multiple use zone in Sy. Nos.255(P), 257(P), 258(P), 260(P) of Poppalguda (V), Rajendranagar (M), Ranga Reddy District to an extent of Acs.17-25 Gts, – Draft variation – Notification – Confirmation – Orders – Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (I1) DEPARTMENT

G.O.Ms.No. 419

Dated 13.09.2013.

Read the following:

1. From the Executive Engineer, North Tanks Division, Hyderabad, Letter No.EE/NTD/DB/HD/RJNR/10/365, dated 29.6.2010 addressed to the MC, HMDA, Hyderabad.
2. From the Joint Collector, Ranga Reddy District, Hyderabad, Letter No.D1/106/2010, dated 25.3.2011 addressed to the MC, HMDA, Hyderabad.
3. From the MC-HMDA Letter No.7020/MP1/Plg/HMDA/ 2009, dated 08.01.2013 & 07.03.2013.
4. From the MD, HMWS&SB Lr.No.DT/DCE-S6/Tr. Cicle/12-13/7706, dt:18.02.2013 and 18.05.2013.
5. From the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Letter No.7020/MP1/Plg/HMDA/2009, dated 14.06.2013.
6. Government Memo No.26335/I1/2012-8, MA&UD Department, dated 20.06.2013.
7. From the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad, Letter No.7020/MP1/Plg/HMDA/ 2009, dated 08.08.2013.

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ORDER:

The draft variation to the land use envisaged in the notified Poppalguda Zonal Development Plan for Non-Municipal area issued in Government Memo 6th read above, was published in the extraordinary issue of Andhra Pradesh Gazette No.425, Part-I, dated 24.06.2013. No objections or suggestions have been received from the public within the stipulated period. It is reported by the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad that the applicant has paid an amount of Rs.42,79,548/- (Rupees forty two lakhs seventy nine thousand five hundred and forty eight only) towards development charges. Hence, the draft variation is confirmed.

2. The appended notification shall be published in the Extra-ordinary issue of Andhra Pradesh Gazette, dated **18.09.2013**.

3. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority shall publish a notice in newspapers as specified in sub-section (4) of Section 15 of HMDA Act, 2008 on or before the date of Gazette Notification and furnish the copies of same to the Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. S.K.JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Printing, Stationery & Stores Purchase, Hyderabad.

The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad.

The Managing Director, Hyderabad Metropolitan Water Supply and Sewerage Board, Hyderabad.

The Collector, Ranga Reddy District.

P.T.O

The Joint Collector, Ranga Reddy District.
The Executive Engineer, North Tanks Division, Hyderabad

Copy to:

The individual through the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad.

The Special Officer and Competent Authority, Urban Land Ceiling, Hyderabad.

The District Collector, Ranga Reddy District.

Sf /Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER

APPENDIX
NOTIFICATION

Whereas, the Executive Engineer, North Tanks Division, Hyderabad has reported to the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority that the Sy. Nos. 255(P), 257(P), 258(P), 260(P) of Poppalguda (V), Rajendranagar (M), R.R. District are not covered under the water body of Muskan Cheruvu. However, as per G.O.Ms.No.111 MA., dated 8.3.1996 a maximum of 100 feet from the conduit site boundary should be left for raising the structures while approving layouts along the conduit, a maximum of 9 meters wide road plus green belt to a maximum width of 100 feet should be insisted to act as buffer on either side of conduit and the green belt shall be accounted as part of the mandatory open space to be left in the layout. Drainage pipe lines must be laid parallel to the conduit at no sewerage / sullage water discharge shall not be allowed from the layout towards the conduit.

2. And whereas, the Joint Collector, Ranga Reddy District has reported to the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority that it is clear that the FTL points of Muskin Cheruvu are falling within the Government land bearing Sy.No.259 of Puppalguda Village only. The patta lands bearing Sy.Nos.255 (P), 257(P), 258(P) & 260 (P) admeasuring Ac.17-25 Gts., of Puppalguda Village are not falling within the FTL of Muskin Cheruvu and finally concluded that, it is clear that FTL contour of Muskin Cheruvu is within the Government land bearing Sy.No.259 of Puppalguda Village only. The FTL contour is not in patta lands bearing Sy.Nos.255 (P), 257(P), 258(P) & 260 (P) admeasuring Ac.17-25 Gts., of Puppalguda Village, Rajendranagar Mandal, RR District and presently the said lands are agricultural lands. The lands covered under above Sy.Nos. can be used for residential purpose.

3. And whereas, while enclosing the reports of the Executive Engineer, North Tanks Division, Hyderabad and Joint Collector, Ranga Reddy District, the MC, HMDA has reported that the patta lands in the Sy.Nos.255 (P), 257(P), 258(P) & 260 (P) admeasuring Ac.17-25 Gts., of Puppalguda Village, Rajendranagar Mandal, RR District are not covered in the FTL contour and recommended the proposed change of land use subject to the conditions of G.O.Ms.No.111 MA., dated 8.3.1996 mentioned by Executive Engineer, North Tanks Division, Hyderabad and other conditions as applicable as per rules in the matter.

4. And whereas, the Managing Director, HMWS&SB has reported that the bottom level of vents of the raw water conduit at Poppalguda Village is 534 Meters. Therefore as long as the FTL of the tank is below this level the Raw water conduit is not going to be effected by pollution. However, as regards developmental activities along the conduit and change of land use, HMWS&SB have no objection if the conduit is not affected and as clause 3 (ii) and all relevant paragraphs of G.O.Ms.No.111, MA&UD Department, dated 8.3.1996 are not violated.

5. And whereas, Government after careful examination of the matter as per recommendations of MC, HMDA, MD, HMWS&SB., and as per the NOC issued by EE, Irrigation, Joint Collector, RR District, that the land under reference is not falling within FTL of Muskan Cheruvu and FTL of the tank is limited to Government land only, hereby proposed to consider the above change of land use subject to condition that the applicant shall provide 30 Meters Green Buffer all along the Osman Sagar Raw Water Conduit as per G.O.Ms.No.111, M.A&UD Department, dated 08.03.1996 and Green Buffer Ground Muskan Cheruvu as per G.O.Ms.No.168, MA&UD Department, dated 07.04.2012 by exercising the powers conferred under sub-section (1) of section 15 of Hyderabad Metropolitan Development Authority Act, 2008 (Act No. 8 Of 2008).

(Contd...3.)

6. Accordingly, a notification was issued to the land use envisaged in the notified Poppalguda Zonal Development Plan for Non-Municipal area, which is proposed in exercise of the powers conferred by sub-section (1) of section 15 of Hyderabad Metropolitan Development Authority Act, 2008 (Act No. 8 of 2008), which was published in the extraordinary issue of Andhra Pradesh Gazette No.425, Part-I, dated 24.06.2013 for calling objections and suggestions on the proposed change of land use. No objections or suggestions have been received from the public within the stipulated period. Further, a copy of the notification was also sent to the Managing Director, Hyderabad Metropolitan Water Supply and Sewerage Board, Hyderabad, the Collector, Ranga Reddy District, the Joint Collector, Ranga Reddy District and the Executive Engineer, North Tanks Division, Hyderabad for information and furnish remarks if any on the proposed change of land use within the time limit of fifteen (15) days to the Government / Metropolitan Commissioner, HMDA. No objections or suggestions have been received from the public within the stipulated period, and also no remarks are received by the Government on the above said notification from the Managing Director, Hyderabad Metropolitan Water Supply and Sewerage Board, Hyderabad, the Collector, Ranga Reddy District, the Joint Collector, Ranga Reddy District and the Executive Engineer, North Tanks Division, Hyderabad in the stipulated period.

7. Now, in exercise of the powers conferred by sub-section (1) of section 15 of Hyderabad Metropolitan Development Authority Act, 2008 (Act No. 8 of 2008), as recommended by the Collector, Ranga Reddy District and the Executive Engineer, North Tanks Division, I&CAD Dept., and MC, HMDA, Government hereby makes the following variation to the land use envisaged in the notified Poppalguda Zonal Development Plan for Non-Municipal area the same having been previously published in the Extra-ordinary issue of Andhra Pradesh Gazette No.425, Part-I, dated 24.06.2013, as required by sub-section (3) of the said section.

VARIATION

The site in Survey Nos.255 (Part), 257 (Part), 258 (Part), 260 (Part) of Poppalguda Village, Rajendranagar Mandal, Ranga Reddy District to an extent of 17 Acres 25 Guntas, which is presently earmarked for Water Body and Green Belt use zone in the Notified Poppalguda Zonal Development Plan for Non-Municipal area is designated as Multiple use zone, subject to the following conditions:

1. that the applicants shall obtain prior permission from Hyderabad Metropolitan Development Authority / Greater Hyderabad Municipal Corporation, Hyderabad before undertaking any development in the site under reference and before issue of development permission, FTL shall be demarcated on ground and verified jointly by Irrigation, Revenue Department and HMDA / GHMC officials.
2. that the MC, HMDA / C/GHMC shall follow the Rule 3 (ii) of G.O.Ms.No.111, MA&UD (I1) Department, dated 8.3.1996, i.e., for the protection of raw water channel from Osmansagar to Asifnagar no layout or building permission should be granted by MCH/HUDA/DT&CP up to a maximum of 100 feet from the conduit site boundary. While approving layouts along the conduit, a maximum of 9 Meters wide road plus green belt to a maximum width of 100 feet should be insisted to act as buffer on either side of conduit and the green belt shall be accounted as part of mandatory open space to be left in the layout. Drainage pipelines must be laid parallel to the conduit and no sewerage / sullage water discharge shall be laid parallel to the conduit and no sewerage / sullage water discharge shall not be allowed from the layouts towards the conduit.
3. that the applicant shall provide 30 Meters Green Buffer all along the Osman Sagar Raw Water Conduit as per G.O.Ms.No.111, M.A&UD Department, dated 08.03.1996 and Green Buffer around Muskan Cheruvu and all along Nalas as per G.O.Ms.No.168, MA&UD Department, dated 07.04.2012.
4. that the owners / applicants shall handover the areas affected under the notified roads to the local bodies at free of cost.
5. that the owners / applicants shall develop the roads free of cost as may be required by the local authority.

(Contd..4.)

6. that the title and land ceiling aspects shall be scrupulously examined by the concerned authorities i.e., Urban Development Authorities / Municipal Corporations / Municipalities before issue of building permission / development permission, and it must be ensured that the best financial interests of the Government are preserved.
7. that the Change of Land Use shall not be used as the sole reason for obtaining exemption from the provisions of Urban Land Ceiling Act, 1976.
8. that after demolition of the existing building, clearances if any required from Urban Land Ceiling authorities should be obtained before approaching the municipal authorities for obtaining permission.
9. that the above change of land use is subject to the conditions that may be applicable under Urban Land Ceiling Act and A.P. Agriculture Ceiling Act.
10. that the owners / applicants are solely responsible for any misrepresentation with regard to ownership / title, Land Ceiling Clearances etc and they will be responsible for any damage claimed by any one on account of change of land use proposed.
11. that the change of land use shall not be used as the proof of any title of the land.
12. that the Change of Land Use does not bar any public agency including Hyderabad Metropolitan Development Authority / Local Authority to acquire land for any public purpose as per Law.
13. that the owner/applicant before undertaking developmental activity in the site u/r existing buildings should be demolished.
14. that the owner / applicant shall approach HMDA / GHMC for obtaining permission after demolition of the existing buildings after obtaining clearances if any required from ULC authorities.
15. No solid or liquid effluences shall be discharged into the lake and measures to that extent shall be taken up by the applicant.
16. that the applicant has to fulfill any other conditions as may be imposed by the Competent Authority.

SCHEDULE OF BOUNDARIES

NORTH	: Existing 40'-0" Road which is proposed as 36 meters in Master Plan (Raw Pipe Line)
SOUTH	: Muskan Cheruvu in Sy.No.259 of Poppalguda Village
EAST	: Sy.No.257, Sy.No.258 (P) of Poppalguda Village.
WEST	: Sy.No.267 of Poppalguda Village.

Dr. S.K. JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER